

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6751

BILL NUMBER: SB 160

NOTE PREPARED: Jan 21, 2014

BILL AMENDED: Jan 16, 2014

SUBJECT: Courts and Court Officers.

FIRST AUTHOR: Sen. Kenley

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that: (1) a new court with one or more new judges may not be established; and (2) one or more new judges may not be added to an existing court; unless the establishment of the new court and the addition of the new judges to an existing court are authorized by state law.

Effective Date: July 1, 2014.

Explanation of State Expenditures: (Revised) *Commission on Courts* - If the Commission on Courts holds additional meetings to review the appointment of a juvenile magistrate, expenditures on per diem and reimbursement for travel and other expenses would increase.

Juvenile Court Magistrates - This bill could result in a potential savings of \$113,285 for each juvenile court magistrate who is not appointed without statutory authorization. The potential savings is composed of the state share of salary, \$65,603, and the state cost of fringe benefits, \$47,682.

Juvenile court magistrates, by statute, receive 80% of the salary of the circuit court judge (IC 33-23-5-10). The current salary of a magistrate is \$106,995. Of this salary, the county from which the juvenile court magistrate is appointed pays \$41,392 (IC 33-38-5-7), while the state General Fund pays the balance, currently \$65,603.

(Revised) *Establishment of New Courts* - The bill could potentially result in cost savings for each new court that is not established and for each new judge that is not added to an existing court without statutory authorization. Potential cost savings to the state include the judge's salary and fringe benefits. The current

salary of superior and circuit court judges is \$133,745, paid from the state General Fund.

Explanation of State Revenues:

Explanation of Local Expenditures: *Juvenile Court Magistrates* - This bill affects counties with a population of 50,000 or greater (IC 31-31-3-1). The following table shows that the total number of juvenile court magistrates has increased from 26 in May 2009 to 32 on May 1, 2013.

Juvenile Court Magistrates					
	5/1/2009	4/1/2010	5/1/2011	5/1/2012	5/1/2013
Number	26	27	28	31	32
Counties	12	12	12	14	15

Establishment of New Courts - The potential savings to counties could include the cost of an additional court room and additional staff and equipment.

Explanation of Local Revenues:

State Agencies Affected: Division of State Court Administration, Commission on Courts.

Local Agencies Affected: Trial courts in counties with population 50,000 or greater.

Information Sources: Indiana Code; *Indiana Judicial Report*, 2008 – 2012.

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